

Applicant: Ilya Trakht  
Serial No.: 09/767,578  
Filed: January 23, 2001  
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REMARKS

Claims 29-34 and 74 are pending in the subject application. By this Amendment, applicant has amended claims 29 and 30. The amendments to claims 29 and 30 are supported in the specification at, *inter alia*, page 12, line 35 to page 13, line 7, and at page 9, lines 17-19. Accordingly, applicant respectfully requests that the Examiner enter this Amendment. Upon entry of this Amendment, claims 29-34 and 74, as amended, will be pending and under examination.

Rejections under 35 U.S.C. §112, First Paragraph (Written Description)

The Examiner rejected claims 29-33 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. The Examiner stated that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

The Examiner asserted that there is no support in the specification as originally filed for the recitation of "human antibody nonproducing myeloma cell" or "mouse antibody nonproducing myeloma cell" in claim 29 or 30. The Examiner stated that, regarding applicant's comments about page 29 of the specification, the cited passages of the specification are drawn to use of myeloma cell lines to produce B6B11 or B6B11-like cells (B6B11 cells were made from a fusion of HAT-sensitive, G-418 resistant myeloma X63.Ag8.653 myeloma cells and a subclone of human myeloma RPMI 8226 selected for nonsecretion of lambda light chains). The Examiner further stated that these passages do not disclose the production of

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other heteromyeloma cell lines and therefore the disclosure is not of the scope of the instant limitation which encompasses use of myeloma cell lines to produce heteromyeloma cells other than B6B11 or B6B11-like cells. The Examiner further stated that claims 34 and 74 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response, applicant respectfully traverses the Examiner's rejection. However, in order to expedite prosecution, and without conceding the correctness of the Examiner's position, applicant has herein amended claims 29 and 30. As amended, both claims recite that the trioma cell is designated MFP-2 (ATCC Designation Number HB-12482) or the heteromyeloma cell is designated B6B11 (ATCC Designation Number HB-12481). Accordingly, applicant maintains that the claimed subject matter is described by the specification, and respectfully requests that the Examiner reconsider and withdraw this ground of rejection.

Summary

Applicant maintains that the pending claims are in condition for allowance. Accordingly, allowance is respectfully requested.

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If a telephone conference would be of assistance in advancing the prosecution of the subject application, applicant's undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee is deemed necessary in connection with the filing of this Amendment. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Mail Stop A7, Commissioner for Patents,  
P.O. Box 1450 Alexandria, VA 22313-1450

6/27/06

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